

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

WEBO GIRL PUBLISHING, INC., *et al.*,

§

*Plaintiffs,*

§

v.

CIVIL ACTION H-05-954

ARCHIE NOEL PATTERSON, JR.,

§

*Defendant.*

§

**FINAL JUDGMENT**

The court orders that Defendant Archie Noel Patterson, Jr. (referred to herein as “Defendant”) and those persons in active concert or participation with him who receive notice of this Judgment, by personal service or otherwise, are permanently enjoined and restrained (a) from publicly performing, without a license to do so, the musical composition in the repertory of the American Society of Composers, Authors & Publishers (“ASCAP”) including the copyrighted musical compositions entitled “VOGUE,” “MISS YOU MUCH,” “NEED YOU TONIGHT” and “PRAISE YOU;” (b) from causing or permitting any of those musical compositions to be publicly performed, without a license to do so, in, at or by Prive, located at 910 Westheimer, Houston, Texas or any other business owned, controlled, operated, maintained or conducted in whole or in part, directly or indirectly, by Defendant; (c) from aiding or abetting the unlicensed public performance of any of those musical compositions; and (d) from otherwise infringing the copyright in and to any of those musical compositions.

Plaintiffs shall recover from defendant, Archie Noel Patterson, Jr. statutory damages in the amount of thirty thousand dollars (\$30,000.00), which is an award of seven thousand five hundred dollars (\$7,500.00) for each of the four copyrighted musical compositions infringed.

Plaintiffs shall recover from defendant the sum of \$9,144.75, which represents an award of reasonable attorneys' fees and costs incurred by Plaintiffs arising from the failure of Defendant and his counsel to attend the court-ordered settlement conference on October 19, 2006, and the reasonable attorneys' fees and costs to prepare the Plaintiffs' Request for Sanctions.

The award of attorneys' fees and costs set forth in the Court's order granting plaintiffs' request for sanctions and expedited request for amended scheduling order entered on November 3, 2006 (Dkt. 42) is hereby VACATED in favor of the award made in the preceding paragraph.

In addition to the sum set forth in the paragraphs above, Plaintiffs shall also further recover of defendant their remaining costs in this action, including reasonable attorneys' fees in the amount of fifteen thousand nine hundred fourteen dollars and twenty-four cents (\$15,914.24).

Plaintiffs further shall recover from defendant interest on the aforementioned statutory damages, costs, and attorneys' fees from the date of entry of this judgment at the rate of 4.96% per annum.

Signed at Houston, Texas on March 15, 2007.



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Gray H. Miller  
United States District Judge